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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE FACEBOOK BIOMETRIC
INFORMATION PRIVACY LITIGATION

Case No.: 3:15-cv-03747-JD

**JOINT STIPULATION CONCERNING
SCHEDULING**

1 WHEREAS, on April 1, 2015, *Licata v. Facebook, Inc.*, No. 15-cv-3748 (N.D.
2 Cal.) (the “Licata Action”) was filed in the Circuit Court of Cook County, Illinois County
3 Department, Claims Division;

4 WHEREAS, on April 21, 2015 *Pezen v. Facebook, Inc.*, No. 15-cv-3749 (N.D.
5 Cal.) (the “Pezen Action”) was filed in the United States District Court for the Northern District
6 of Illinois;

7 WHEREAS, on May 6, 2015, Defendant Facebook removed the Licata Action to
8 the United States District Court for the Northern District of Illinois;

9 WHEREAS, on May 14, 2015, *Patel v. Facebook, Inc.*, No. 15-cv-3747 (N.D.
10 Cal.) (the “Patel Action,” and together with the Licata and Pezen Actions, the “Actions”) was
11 filed in the United States District Court for the Northern District of Illinois;

12 WHEREAS, on June 3, 2015, the parties to the Actions filed a stipulation and
13 proposed order in United States District Court for the Northern District of Illinois to consolidate
14 the Actions and set forth a briefing schedule for the filing of a consolidated complaint and for the
15 briefing of a motion to dismiss, if any, providing that “Plaintiffs shall have 30 days to file an
16 opposition thereto, and Defendant shall file its reply papers within 15 days thereafter”;

17 WHEREAS, on July 29, 2015, the Honorable James B. Zagel of the United States
18 District Court for the Northern District of Illinois granted Defendants’ unopposed motion to
19 transfer venue and ordered the Actions to be transferred to the United States District Court for
20 the Northern District of California;¹

21 WHEREAS, on September 3, 2015, the Honorable James Donato of the United
22 States District Court for the Northern District of California issued an Order re Relation,
23 Consolidation and Initial Case Management Conference, consolidating the Actions, and ordering
24 Defendant to respond to the Consolidated Complaint by October 9, 2015, and setting a case
25

26
27 ¹ Judge Zagel granted the consolidation and the parties’ stipulated briefing schedule, however, the Actions were
28 transferred to this District prior to being formally consolidated by the Clerk.

1 management conference to be held on December 2, 2015 at 1:30 p.m., but did not otherwise
2 provide for a briefing schedule for any motion to dismiss;

3 IT IS HEREBY STIPULATED AND AGREED TO, subject to the approval of
4 the Court, that Plaintiffs shall file their opposition to Defendant's motion to dismiss, if any, no
5 later than November 9, 2015, and Defendant shall file its reply in support of any such motion to
6 dismiss no later than November 24, 2015.

7
8 DATED: October 2, 2015

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11
12 /s/ Shawn A. Williams

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Attorneys for Plaintiff Nimesh Patel

DATED: October 2, 2015

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1 DATED: October 2, 2015

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16 Pursuant to Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in filing this stipulation.

17 Dated: October 2, 2015

/s/ Joel H. Bernstein

Joel H. Bernstein